



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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MEMO ENDORSED

December 7, 2007

By Hand Delivery

Hon. P. Kevin Castel  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2260  
New York, NY 10007

RE: S.E.C. v. Empire Development Group, LLC et al. (07 Civ. 3896  
(PKC))

Dear Judge Castel:

We write to seek the Court's assistance in facilitating certain payments in the above-titled action. On September 7, 2007, the Commission and Defendant Empire advised the Court of the parties' agreement that Defendant Michael Ayngorn would pay \$1,000 monthly rent for use of a home in Brooklyn. Although the agreement instructed Mr. Ayngorn to pay rent to the bank that held the mortgage on the Brooklyn property, this has proven to be logistically difficult. Therefore, Empire and the Commission have agreed to allow Mr. Ayngorn to pay rent instead to a court administered account.

Pursuant to Your Honor's previous orders, a court administered account already exists to preserve money obtained through the sale of certain property in connection with this action. Mr. Ayngorn has since presented a check to the clerk of this Court, but the check cannot be deposited into a court administered account without the Court ordering the deposit. The Commission and Empire Development Group, LLC, respectfully request the Court enter an order providing that Mr. Ayngorn's monthly rent be deposited into that court administered account that has already been established for this matter.

*Application granted.*  
*SO ORDERED*  
*[Signature]*  
*USDS*  
*12-7-07*

*granted.*